

Message Text

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ACTION L-03

INFO OCT-01 EUR-12 ISO-00 SCSE-00 SCA-01 /017 W

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P 161430Z JUL 76

FM AMEMBASSY PARIS

TO SECSTATE WASHDC PRIORITY 3032

UNCLAS PARIS 20787

E.O. 11652: N/A

TAGS: CGEN, FR

SUBJECT: SERVICE OF LEGAL PROCESS IN FRANCE

1. EMBASSY HAS RECEIVED QUERY FROM IRVING BEARMAN,
ATTORNEY AT 258 BROADWAY, NEW YORK, N.Y. 10007 (TEL.
W02-4820), ASKING US TO "MAKE OUT AFFIDAVIT OF SERVICE
FOR SUMMONS AND COMPLAINT IN MATRIMONIAL ACTION SERVED
ON DEFENDANT, AN AMERICAN CITIZEN NOW IN PARIS WHO
WILLING TO ACCEPT IT."

2. WE HAVE HAD NO PREVIOUS SUCH CASES AND WOULD
APPRECIATE DEPARTMENT'S INSTRUCTIONS.

3. SPECIFICALLY WE WOULD LIKE CLARIFICATION OF 7 FAM
874.2 (SERVICE OF LEGAL PROCESS NOT FOREIGN SERVICE
FUNCTION EXCEPT IN CERTAIN FEDERAL CASES) VIS-A-VIS
ARTICLE 8 OF HAGUE CONVENTION OF NOVEMBER 15, 1965
ON SERVICE ABROAD OF JUDICIAL DOCUMENTS (SERVICE MAY
BE PERFORMED BY DIPLOMATIC AND CONSULAR OFFICERS).

4. FRENCH JUSTICE MINISTRY (ENTRAIDE JUDICIAIRE INTER-
NATIONALE) RECOMMENDS THAT SERVICE OF DOCUMENTS BE
DONE THROUGH "CENTRAL AUTHORITY" BUT HAS NO OBJECTION
TO SERVICE BY CONSULAR OFFICERS OR BY FRENCH HUISSIERS.
WE WOULD PREFER THAT ALL SERVICE OF DOCUMENTS BE
THROUGH CENTRAL AUTHORITY EXCEPT WHEN EMBASSY
SPECIFICALLY REQUESTED TO SERVE SUBPOENAS PER 7 FAM
874.3 AND 4.

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Disposition Authority: n/a
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Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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